

## LAS VEGAS METROPOLITAN POLICE DEPARTMENT

## ARREST REPORT

13F13516X/5

☐ City☒ County☒ Adult☐ Juvenile

Sector/Beat

P4

IDEVENT# 081318-1688	ARRESTEE'S NAME (Last) (First) (Middle) Montgomery James Robert			S.S.# [REDACTED]
ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code) 13208 Myford Road # 340, Tustin California 92782				
CHARGES Murder N.R.S. 200.010, Kidnap 1 <sup>st</sup> N.R.S. 200.310.1 (2cts), Robbery N.R.S. 200.380 (2cts), Battery w/ SBH N.R.S. 200.481.2b, Grand Larceny Auto N.R.S. 205.228,				
OCURRED 08/18/2013	DATE 08/18/2013	DAY OF WEEK Sunday	TIME 1059	LOCATION OF ARREST (Number, Street, City, State, Zip Code) 1800 West Charleston, Las Vegas, NV 89102
RACE W	SEX M	D.O.B. 01/25/84	HT. 510	WT. 175
HAIR Bro		EYES Blu		PLACE OF B RTH

ARRESTING OFFICER #1: B. Embrey	P#: 8644	ARRESTING OFFICER #2: S. Smith	P#: 6424
CONNECTING REPORTS (Type or Event Number) TCR, DOA 130818-1688, 130818-1717			

APPROVED BY (PRINTED NAME): Lt. Ray Steiber P# 3542

## CIRCUMSTANCES OF ARREST:

On August 18<sup>th</sup>, 2013, at approximately 1056 hrs, Jesus Magdaleno DOB: 04/17/80 and Felix Brandon Cruz DOB: 06/26/82 were checking out of the Flamingo Hotel Casino located at 3555 South Las Vegas Blvd, Las Vegas, Clark County Nevada 89109.

Flamingo Hotel Casino Valet had just delivered the vehicle to Magdaleno leaving the white 2009 Ford F150 pickup with California License 24332B1 running with the driver door open. Cruz jumped in the bed of the truck as Magdaleno was handing Cruz their belongings. From video surveillance depicts James Montgomery walking to another car parked in the East Valet. Montgomery opens the car door and after an apparent verbal exchange with the occupants he walks off. Montgomery walked to Magdaleno's 2009 Ford F150 pickup and got in the driver's seat. Montgomery drives off with Cruz in the bed of the truck. According to witnesses / family members of Cruz and Magdaleno, it was initially believed that Valet personnel was moving the truck forward but when it didn't stop Cruz began to yell out to Magdaleno for help. According to family members, at no time did Montgomery have permission to operate Magdaleno's vehicle. Magdaleno chased after the truck on foot as it drove toward Audrey Avenue. Magdaleno, who is a California Highway Patrol Officer, was verbally identifying himself as a Police Officer as he chased the truck on foot. Magdaleno was able to catch up to the vehicle as it stopped for traffic and he jumped in the bed of the truck. Magdaleno continued to identify himself as a Police Officer as he ordered Montgomery to stop. Montgomery accelerated despite being told to stop by both Magdaleno and Cruz.

According to a witness that heard a commotion from the 17<sup>th</sup> floor of the Bally's Casino she observed a white truck driving westbound on Flamingo Road. The witness said she observed the truck driving at a high rate of speed striking several construction cones and a portable traffic control device. This witness said she could clearly hear the people in the back of the truck screaming for help and it looked like they were in trouble.

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Montgomery continued to drive west bound on Flamingo Road at a high rate of speed failing to stop at any posted red lights. At no time during this event did Montgomery slow down or stop the vehicle to allow Cruz or Magdaleno the ability to get out of the vehicle. As Montgomery approached the intersection of Flamingo Road and Valley View Blvd., he continued to drive through a solid red light. Montgomery was struck by a 2001 Ford Escape that was turning north onto Valley View Blvd on a green arrow. This caused Montgomery to lose control of the vehicle and it collided with the northwest corner traffic control light pole ejecting both Cruz and Magdaleno.

Fire and Medical personnel responded and found Magdaleno deceased from apparent blunt force injuries that he sustained from being ejected from the back of the truck. Cruz was transported to University Medical Center-Trauma with severe injuries specifically blunt force head trauma. According to Medical personnel, Cruz is not expected to survive his injuries.

Montgomery was also transported to University Medical Center where he was treated for his injuries. Montgomery was interviewed by Homicide Detectives however he had no recollection of what occurred except that he remembered being in a car crash. Montgomery said he did remember walking around the Flamingo Hotel and Casino however he didn't know why he was there.

According to the data recorder information obtained from Magdaleno's 2009 Ford F150 pickup, Montgomery was accelerating at the time of the collision and was not braking.

Based on the above information, Montgomery was arrested for the above charges and booked in absentia.